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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Charles GERDAY et al.

Application No.: **10/803,055**

Confirmation No.: *Unassigned*

Filed: March 18, 2004

For: COLD-ACTIVE BETA
GALACTOSIDASE, THE PROCESS
FOR ITS PREPARATION AND THE
USE THEREOF

Art Unit: *Unassigned*

Examiner: *Unassigned*

Atty. Docket No.: 31601-201282

Customer No.

26694

PATENT TRADEMARK OFFICE

PETITION UNDER 37 C.F.R. § 1.182

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

The above-referenced application was inadvertently filed without drawings #1-6 which were filed in the parent application 09/501,136, now USP 6,727,084.

However, applicants incorporated the parent application by reference in its entirety (including the drawings) when filing the above-referenced divisional application. Therefore, applicants maintain that re-filing those drawings in the present application does not constitute new matter, and request that the drawings be entered into the file.

Furthermore, in view of the above, applicants maintain that a resubmission of the drawings is not required for a filing date, and respectfully request that the present application be accorded the original filing date of March 18, 2004.

04/08/2005 MBEYENE1 00000152 220261 10803055

01 FC:1462 400.00 DA

Adjustment Date: 04/29/2005 AKELLEY

04/08/2005 MBEYENE1 00000152 220261 10803055
01 FC:1462 400.00 CR